Mr. K. Achyuta Menon:—It has been extended till the end of this month.

Imprisonment of Mr. Mathai Manjuran.

209. Mr. K. M. Ibrahim:—Will the Government kindly state the class in which the political prisoner Mr. Mathai Manjuran, B. A., has been placed and the arrangements made for his prison life?

Rama Varmha Tampuran:—Mr. Mathai Manjuran B. A., is in the ordinary class of under-trial prisoners. He is allowed to wear a shirt at his cost. It has not been found necessary to classify him in any special class.

Mr. K. M. Ibrahim:—Was your attitude towards him of a vindictive kind?

Rama Varmha Tampuran:—No.

Mr. K. M. Ibrahim:—What are the rules relating to the qualifications of prisoners in the higher class?

Rama Varmha Tampuran:—Rules 702 to 708 of the Jail Rules. These are a long set of rules.

Mr. K. M. Ibrahim:—Will you please give an idea of it?

Rama Varmha Tampuran:— There are three classes of prisoners. "Under Sec. 27 of the Prisons Regulation unconvicted Criminal prisoners shall be kept apart from convicted criminal prisoners as well as from Civil prisoners."

"Under-trial prisoners shall not be allowed to crop their hair or in any way alter their personal appearance so as to make it difficult to recognise them. But when the Medical Officer deems it necessary on the ground of dirt or vermin the hair of such prisoners may be cut" etc. etc.

Mr. K. M. Ibrahim:—Is not this gentleman a graduate?

Rama Varmha Tampuran:—Yes, he is a graduate.

Mr. K. M. Ibrahim:—Does he not come from a very respectable family?

Rama Varmha Tampuran:—There is a classifying authority whose duty it is to classify the prioners and the classification is made after they are convicted. I don't know whether he has been convicted and at what stage the proceedings now stand. Unless that is known, there will be no use of going into details.

Mr. K. M. Ibrahim:—May I know who is the classifying officer?

Rama Varmha Tampuran:— The Sessions Judge, the Magistrate of the first class etc.

Mr. P. Kumaran Ezhuthassan:—Does it apply to under-trial prisoners.

Rama Varmha Tampuran:—It applies to convicted prisoners. Classification is not made when they are under-trial prisoners.

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Mr. P. Kumaran Ezhuthassan:—May I know what arrangements the Government have made with regard to under-trial prisoners?

Rama Varmha Tampuran:—No special arrangements are made now.

Mr. K. M. Ibrahim:—Does the Government think that some arrangement is necessary?

Rama Varmha Tampuran:—To the best of my knowledge under-trial prisoners are not calassified anywhere. I think no State has done that.

Mr. K. M. Ibrahim:—Does the existing rules contain any provision for the classification of under-trial prisoners?

Rama Varmha Tampuran:—No.

Mr. K. M. Ibrahim:—There are.

Rama Varmha Tampuran:—The Hon'ble Member may point out the rules.

President:—Hand over the book to him. I ask him to point out the rules regarding the classification of under-trial prisoners before this morning. Otherwise he will have to apologise to the House for making such statements.

Mr. C. A. Ouseph:—Mr. Manjuran is here described as a political prisoner. May I know what that term "political prisoner" means?

Rama Varmha Tampuran:— We have not attached any special significance to that phrase.

Mr. C. A. Ouseph:—Have the Government any conception of political prisoners? Do the rules contemplate political prisoners?

Rama Varmha Tampuran:— The question was put by an Hon'ble Member of this House. We need not enquire in to the exact significance of that term.

Mr. C. A. Ouseph:—Am I to take it that they did not understand the meaning of the word 'political prisoner?'

Rama Varmha Tampuran:—We did not enquire into the exact significance of that word.

Mr. C. A. Ouseph:—May I know whether the Government understood the words when they answered the question?

Rama Varmha Tampuran:— The Hon'ble Member is at liberty to interpret it as he likes.

Mr. A. Eachara Menon:—Has Mr. Manjuran done any act involving moral turpitude?

Rama Varmha Tampuran:—The rules give the conditions which have to be fulfilled to make the classification. We have to answer the question in the light of these rules.

Dr. A. R. Menon:—Is it not a fact that these rules as based upon persons convicted for offences involving moral turpitude and such other classes of prisoners?

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Rama Varmha Tampuran:--I should rather go into the details of the rules before answering that question.

Mr. C. A. Ouseph:—Do these rules apply to all classes of persons irrespective of the nature of the crime committed by him? Is there any distinction, for example, between persons charged with sedition and those charged with murder?

Rama Varmha Tampuran:—Unless I get the book containing the rules, I cannot answer that question.

President:—Has the Hon'ble Member for Cranganur found out the rules?

Mr. K. M. Ibralim:—No, Sir. I had no time. I was listening to the business of the House.

Mr. P. Kumaran Ezhuthassan:—Is not the gentleman already convicted?

Rama Varmha Tampuran:—My information was that five or six days ago the trial was going on. I answered by saying that unless we are sure on the point there is no use of going into details at this moment.

Mr. E. Ikkanda Warriar:— May I know how long this gentleman had been an under-trial prisoner?

Rama Vamha Tampuran:— I want notice.

Mr. E. Ikkanda Warriar:— Is it a fact that here in Cochin State the trial takes a long time as distinct from trials of this kind in British India?

Rama Varmha Tampuran:— This fact has not come to the notice of the Government.

Mr. E. Ikkanda Warriar:— Will the Government be pleased to make some rules as regards under-trial prisoners charged for offences not involving moral turpitude ? Will they make provision for the better treatment of under-trial prisoners ?

Rama Varmha Tampuran:—Such classification is not made anywhere with regard to under-trial prisoners. I do not think there is any necessity to make such a provision here also.

Mr. K. T. Mathew.—Have not the Government classified under-trial prisoners at any time?

Rama Varmha Tampuran:—The rules do not allow that. If the Hon'ble Member thinks that there has been any particular instance I want notice.

Mr. K. T. Mathew:—May I know whether the Hon'ble Member for Cranganur was not an under-trial prisoner and whether he was not given any special convenience?

Rama Varmha Tampuran:—Every one starts as an under-trial prisoner. I do not know how he was classified.

Mr. K. T. Mathew:—Was he convicted?

Rama Varmha Tampuran:—In which case? I want notice.

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President:—We are concerned here only with the question of Mathai Manjuran.

Mr. K. T. Mathew:—A supplementary answer is given by the Secretary to the Diwan saying that these under-trial prisoners are not classified. Now I want to know whether there was any instance under which an under-trial prisoner has been given any special classification.

President:—He answered that he did not know.

Mr. K. T. Mathew:—Supplementary to that I want to know whether there has been any such instance in the case of the Hon'ble Member for Cranganur.

Rama Varmha Tampuran:—I want notice with regard to details.

Mr. K. M. Ibrahim:—In view of the fact that there were previous occasions where the Government had to consider whether under-trial prisoners should be given special convenience or not, was it not incumbent on the Government to look into this matter before answering this question?

Rama Varmha Tampuran:—I answered this question—clauses A. B. C. of the Jail Rules. If the Hon'ble Member thinks that there is another case and he is referring to it I want notice. A particular question was put and it was answered. If the Hon'ble Member thinks that there was a parallel case I want notice.

Mr. C. A. Ouseph:—How long was this political prisoner, Mr. Cherian Manjuran, in jail now?

Rama Varmha Tampuran:—I want notice.

Mr. K. M. Ibrahim:—Leaving all the other things aside is it not a special point to be considered that he is a graduate, when the classification was made?

Rama Varmha Tampuran:—I should read the particular point which I had in view when I answered this question. Rule 182 says "In addition to the foregoing prisoners all convicted prisoners shall be divided into two main divsions, viz, Habitual convicts and others". It goes on like that. An amendment has been added to this Rule 182 A. It was according to these rules that the prisoners have been classified and provisions made for meeting their legitimate demands. I have mentioned that when I answered the question. If there is any case supplementary to this I want notice.

Mr. P. S. Kesavan Nambudiri:—When a particular prisoner is entitled to a better kind of treatment does it not apply to common sense that he should be given some facilities when he is an under-trial prisoner?

Rama Varmha Tampuran:—I answered the question several times. I referred to rules 182 and 182 A.

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Mr. P. S. Kesavan Nambudiri:— Then don't you find it necessary to amend the rules ?

Rama Varmha Tampuran:— That question has not been considered. We will consider that point. We shall make a note of it. We will go into the merits of the question raised by the Hon'ble Member for Kattur.

Mr. K. M. Ibrahim:— You say he is allowed to wear a shirt at his cost. Is not a shirt an elementary existence of life ?

President:— That is a matter of opinion. We will take up the next question.

210 Mr. K. M. Ibrahim:—Will the Government kindly state:—

(a) the grounds of their insisting on prisoners, especially political, to spend from their own pockets in meeting certain wants of theirs;

(b) whether they are invariably meeting the expenses of a prisoner that would constitute a full and civilized life from his standard and habit?

Rama Varmha Tampuran:—(a) No prisoner is required to spend money from his pocket to meet the wants which are necessary for a prisoner under ordinary circumstances. Government have, however, allowed a prisoner to have further comforts if he wants, at his cost. There are definite rules on these points in the Jail Rules and they are followed.

(b) Government have, after due consideration, laid down Rules whereby provision has been made for meeting all the legitimate demands of the different classes of the prisoners consistently with Jail discipline. There has been no complaint that the provisions in the Jail Rules are inadequate.

Mr. K. M. Ibrahim:— Have you not already submitted that this prisoner, Mr. Mathai Manjuran, was asked to wear a shirt at his own expense ?

Rama Varmha Tampuran:— Notice.

Mr. K. M. Ibrahim:— You have already mentioned that in the previous question

Rama Varmha Tampuran:— Then that answer is there.

Mr. K. M. Ibrahim:— Are not the Government aware that by imprisoning a man they imprison the earning capacity of that individual ?

Rama Varmha Tampuran:— I think you are treading on higher ethics.

Mr. C. A. Ouseph:—May I know whether the Government have considered that a shirt is an ordinary want of a person ?

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